

ORIGINAL

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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LINDA VAN DEUSEN and JOHN VAN DEUSEN,

Plaintiffs,

CV-00-0181

-against-

HOFSTRA UNIVERSITY 128 HOFSTRA UNIVERSITY,
HEMPSTEAD, NEW YORK 11549-1280, ADAPTIVE
ENVIRONMENTS 374 CONGRESS STREET/STE. 301
BOSTON, MASSACHUSETTS 02216,

Defendants.

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204 Willis Avenue
Mineola, New York

December 4, 2000
10:20 A.M.

EXAMINATION BEFORE TRIAL of LINDA M. VAN DEUSEN,
a Plaintiff herein, taken pursuant to Notice, and
held at the above time and place before Susan
Marrone, a stenotype reporter and Notary Public of
the State of New York.

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A P P E A R A N C E S :

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BY: CHRISTOPHER M. ROGERS, ESQ.

ALSO PRESENT:

Anthony Brady, Esq.

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IT IS HEREBY STIPULATED AND AGREED by and between the attorneys for the respective parties hereto that filing, sealing and certification be and the same are hereby waived.

IT IS FURTHER STIPULATED AND AGREED that all objections, except as to the form of the question, shall be reserved to the time of the trial.

IT IS FURTHER STIPULATED AND AGREED that the within examination may be subscribed and sworn to before any notary public with the same force and effect as though subscribed and sworn to before the court.

IT IS FURTHER STIPULATED that a copy of this transcript shall be provided to the plaintiff without cost and that the plaintiff shall provide copies of any depositions he may take to the defendant without cost.

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2 L I N D A M. V A N D E U S E N, a Plaintiff
3 herein, having been first duly sworn
4 by Susan Marrone, a Notary Public of
5 the State of New York, was examined
6 and testified as follows:

7 EXAMINATION BY

8 MR. PURCELL:

9 Q Please state your name for the record.

10 A Linda M. Van Deusen.

11 Q Where do you presently reside?

12 A 7736 Dartmoore Lane, Columbia, South
13 Carolina 29223.

14 Q Good morning. Is it Mrs. Van Deusen?

15 A Yes, sir.

16 Q I'm Patrick Purcell, as you know, and
17 I'm here representing Hofstra University in this
18 lawsuit that you've brought against them. Today
19 I'm going to ask you certain questions. If you
20 don't understand my question, please indicate that
21 to me, and I'll try to rephrase it in a sufficient
22 way that it becomes clearer for you.

23 If you need a break at any time, just
24 let us know, and we'll do that for you as well.

25 Mrs. Van Deusen, how long have you

1 LINDA M. VAN DEUSEN

2 A Yes.

3 Q What was your maiden name?

4 A Pohland.

5 Q P-O-L-A-N-D?

6 A P-O-H-L-A-N-D.

7 Q Now, on June 18th, 1998, were you
8 present at the campus of Hofstra University for
9 some purpose?

10 A Yes.

11 Q What was the reason for your being
12 present on that date?

13 A I was at a Universal Design conference
14 for my job.

15 Q Can you tell me more particularly what
16 a Universal Design conference entailed?

17 A Universal Design conference was my
18 office sent me there so that I can learn more about
19 Adaptive equipment and Adaptive environment for
20 people with disabilities.

21 Q What was the name of the company that
22 employed you at that time?

23 A The University of South Carolina
24 School of Medicine.

25 Q What was your specific duties with

1 LINDA M. VAN DEUSEN

2 that organization at that time?

3 A That's complicated.

4 Q Well, give us a sum, if you can tell.

5 A Well, my job was to go to people's
6 homes who had disabilities that needed their homes
7 modified for their disability to make it accessible
8 to them in looking at their home and their
9 disability as a whole, trying to predict whether
10 their disability would progress to a point where
11 they needed more adaptations and recommending the
12 adaptations that would be needed in the future, if
13 a disability was going to get worse. We did the
14 most adapting that we could do.

15 Q And how long had you been employed in
16 that capacity by the University of South Carolina
17 School of Medicine?

18 A Since 1996.

19 Q Had you worked in that same field for
20 some other organization prior to that date?

21 A Yes, I did.

22 Q And who was that?

23 A Um, South Carolina Vocational
24 Rehabilitation.

25 Q Where were they located?

1 LINDA M. VAN DEUSEN

2 A In West Columbia, South Carolina.

3 Q Were your duties with that South
4 Carolina Rehabilitation organization essentially
5 the same as the duties that you had for the School
6 of Medicine at the university?

7 A It's -- it's -- yes. The answer is
8 yes. It's a little more complex than that in that
9 at the university I actually work for a Federal
10 grant. The South Carolina Assistive Technology
11 Project and we worked under U.S.C. School of
12 Medicine, that grant was transferred from
13 vocational rehabilitation in 1996. I was hired in
14 that grant in 1994 to do this job and many other
15 jobs, and previous to that I worked for another
16 Federal grant doing the same thing under vocational
17 rehabilitation when the grant ended, and I was
18 hired with the Assistive Technology Project to do
19 the same thing.

20 Q Prior to 1994, had you worked in the
21 same field?

22 A Yes, I did.

23 Q Where did you work then?

24 A South Carolina Vocational
25 Rehabilitation under the Independent Living Grant.

1 LINDA M. VAN DEUSEN

2 Q And how long had you been employed in
3 that capacity?

4 A Since 1990.

5 Q Prior to that, what was your work
6 experience?

7 A I have, um, got my Master's degree
8 from '89 through '90 -- '88 through '90 in
9 rehabilitation counseling. Prior to that my
10 undergrad degree was in biology, and I am a
11 licensed laboratory technician and work for a local
12 hospital in the hematology department.

13 Q Where did you get your Master's
14 degree?

15 A At the University of South Carolina.

16 Q And your undergraduate degree?

17 A Was at Columbia College.

18 Q In New York?

19 A No, it's in South Carolina, it's a
20 private women's college.

21 Q Now, Mrs. Van Deusen, I note that you
22 appear here in a wheelchair today, correct?

23 A Yes, sir.

24 Q For how long have you been using that
25 sort of device?